

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In Re* FLINT WATER LITIGATION CASES

\_\_\_\_\_/

This document relates to:

ALL CASES, including

*Carthan, et al. v. Snyder, et al*  
Case No. 5:16-cv-10444

*Walters, et al. v. City of Flint, et al*  
Case No. 5:17-cv-10164

Hon. Judith E. Levy

Mag. Judge Elizabeth A. Stafford

---

**STIPULATION TO STAY PROCEEDINGS  
RELATING TO THE LAN DEFENDANTS**

The Class Plaintiffs and Individual Plaintiffs (collectively “Plaintiffs”), on the one hand, and Leo A Daly Company, Lockwood, Andrews & Newnam, Inc. and Lockwood, Andrews & Newnam, P.C. (collectively the “LAN Defendants”), on the other, having reached a confidential settlement in principle of all claims by the Plaintiffs against the LAN Defendants, hereby agree and stipulate to this Court’s entering a stay of all proceedings against the LAN Defendants,<sup>1</sup> in support of which they state as follows:

1. The Court’s “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort

---

<sup>1</sup> Attorney General Dana Nessel on behalf of the People of the State of Michigan is also party to the settlement, but is not a party in any federal court proceedings and therefore is not a signatory to this Stipulation. Attorney General Nessel will be a signatory to a similar Stipulation to Stay Proceedings filed contemporaneously herewith in state court.

for itself, for counsel, and for litigants.” *Landis v. N. Amer. Co.*, 299 U.S. 248, 254 (1936); see also *Clinton v. Jones*, 520 U.S. 681, 706 (1997) (“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.”).

2. The Plaintiffs and the LAN Defendants have reached a confidential settlement in principle of all claims by the Plaintiffs against the LAN Defendants in all pending Flint Water Cases litigation in federal and state court.

3. The settlement in principle provides the parties to the agreement at least three weeks to finalize the terms of the agreement. Plaintiffs and the LAN Defendants wish to finalize the settlement without burdening this Court with additional filings and without incurring unnecessary litigation expenses in the interim.

4. Accordingly, Plaintiffs and the LAN Defendants agree that this Court should enter a forty-five (45) day stay of all proceedings as to the LAN Defendants so that these parties can focus on finalizing the settlement agreement. This stay would include all pleading, discovery, filing and disclosure deadlines and all discovery and depositions (if any) of LAN witnesses in every Flint Water Litigation case.

5. Plaintiffs and the LAN Defendants stipulate that this stay of proceedings applies only to the LAN Defendants and does not apply to any pleading, discovery, filing or disclosure deadlines or any discovery and depositions (if any) of the VNA Defendants.

6. As provided in ECF Rule 11(c), Plaintiffs and the LAN Defendants request that a text-only order be entered granting this stipulation.

DATED: July 6, 2023.

**STIPULATED AND AGREED TO:**

By: /s/Theodore J. Leopold

Theodore J. Leopold  
COHEN MILSTEIN SELLERS & TOLL,  
PLLC  
2925 PGA Boulevard  
Suite 200  
Palm Beach Gardens, FL 33410  
(561) 515-1400  
tleopold@cohenmilstein.com

**CO-LEAD CLASS COUNSEL**

By: /s/Hunter Shkolnik

Hunter Shkolnik  
NAPOLI SHKOLNIK LAW PLLC  
1301 Avenue of the Americas  
10th Floor  
New York, NY 10019  
(212) 397-1000  
(646) 843-7603  
hunter@napolilaw.com  
**CO-LIAISON COUNSEL FOR THE  
INDIVIDUAL PLAINTIFFS**

By: /s/Michael L. Pitt

Michael L. Pitt  
Pitt, McGehee, Palmer, Bonanni, & Rivers  
PC  
Attorney for Plaintiffs  
117 W. Fourth Street  
Suite 200  
Royal Oak, MI 48067-3804  
(248) 398-9800  
[mpitt@pittlawpc.com](mailto:mpitt@pittlawpc.com)  
**CO-LEAD CLASS COUNSEL**

/s/Wayne B. Mason

Wayne B. Mason (SBOT 13158950)  
Travis S. Gamble (SBOT 00798195)  
David C. Kent (SBOT 11316400)  
S. Vance Wittie (SBOT 21832980)  
FAEGRE DRINKER BIDDLE & REATH LLP  
1717 Main St., Suite 5400  
Dallas TX 75201  
(469) 227-8200  
[wayne.mason@faegredrinker.com](mailto:wayne.mason@faegredrinker.com)  
[travis.gamble@faegredrinker.com](mailto:travis.gamble@faegredrinker.com)  
[david.kent@faegredrinker.com](mailto:david.kent@faegredrinker.com)  
[vance.wittie@faegredrinker.com](mailto:vance.wittie@faegredrinker.com)  
**ATTORNEYS FOR  
THE LAN DEFENDANTS**

By: /s/Corey M. Stern

Cory M. Stern  
LEVY KONIGSBERG, LLP  
800 Third Avenue  
Suite 11th Floor  
New York, NY 10022  
(212) 605-6298  
cstern@levylaw.com  
**CO-LIAISON COUNSEL FOR THE  
INDIVIDUAL PLAINTIFFS**

/s/ Philip A. Erickson

Philip A. Erickson (P37081)  
Rhonda Stowers (P64083)  
PLUNKETT COONEY  
101 N. Washington Square, Suite 1200  
Lansing, MI 48933  
(517) 324-5608  
[perickson@plunkettcooney.com](mailto:perickson@plunkettcooney.com)  
[rstowers@plunkettcooney.com](mailto:rstowers@plunkettcooney.com)  
**ATTORNEYS FOR  
THE LAN DEFENDANTS**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing instrument was served on all counsel of record on July 6, 2023 in accordance with the provisions of the Federal Rules of Civil Procedure.

/s/ David C. Kent

David C. Kent